

Appln. No. 10/719,239  
Amendment dated March 6, 2006  
Reply to Office Action mailed October 4, 2005

Attorney's Docket No. 23-0276/30741

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No. 10/719,239 )  
First Named Applicant: RICHARD H TILTON )  
Filed: 11/21/2003 )  
For: HYDRAULIC PRESS )  
TC/A.U.: 3725 )  
Examiner: Kenneth Peterson )

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT**

Sir:

Responsive to the Office Action mailed October 4, 2005, please amend the application as follows:

**Amendments to the Specification:** None.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Amendments to the Drawings:** None.

**Remarks/Arguments** begin on page 14 of this paper.

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This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims** (deleted text being struck through and added text being underlined):

1. (Currently Amended) A metal working machine comprising:

a frame member adapted for resting upon a horizontal support surface, said frame member ~~having~~ including at least two vertical stanchions, ~~said frame member having~~ and a horizontal support member extending between said vertical stanchions, said horizontal support member being positioned adjacent to a top end of each of said vertical stanchions;

[[[a]]] an arm member pivotally coupled to said frame member, said arm member having a first end and a second end, said arm member being pivotally coupled to said frame at a pivot location between said first and second ends;

a hydraulic cylinder having a piston selectively extendable from said hydraulic cylinder, said hydraulic cylinder being operationally coupled to said frame member, said piston being operationally coupled to said arm member ~~whereby~~ toward said first end in a manner such that extension of said piston from said hydraulic cylinder pivotally moves said [[[a]]] first end of said arm member away from said frame member ~~and moves said second end of said arm member toward said frame;~~

wherein a first portion of said arm member is located between said pivot location and said first end and a second portion of said arm member is located between said pivot location and said second end;

a shear blade mounted on the first portion of said arm member for shearing materials against said horizontal support member when said piston is retracted into said hydraulic cylinder;

a punch assembly mounted on the second portion of said arm member and a punch mating assembly mounted on said frame member, said punch mating assembly being aligned with said punch assembly such that said

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punch assembly engages said punch mating assembly when said first end of said arm member is moved away from said frame by said piston;

a second horizontal support member mounted on and extending between said two vertical stanchions for supporting the piece of metal being worked;

a ram member mounted on the first portion of said arm member and extending downwardly from said arm member toward said second horizontal support member for transferring a force from said arm member to a workpiece positioned on said second support member

2. (Original) The machine of claim 1, further comprising a hydraulic reservoir operationally coupled to said hydraulic cylinder for providing additional hydraulic force.

3. (Currently Amended) The machine of claim 1, further comprising a ~~control assembly operationally coupled to said hydraulic cylinder for selectively actuating said hydraulic cylinder whereby said piston is~~ extended means for adjusting a height of said second horizontal support member to adjust a distance between said second horizontal support member and said arm member.

4. (Currently Amended) The machine of claim 1, wherein ~~said arm member further comprises a shear blade for cutting metal when said piston is retracted into said hydraulic cylinder~~ a length of said first portion of said arm member is longer than a length of said second portion of said arm member.

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5. (Currently Amended) The machine of claim 1, further comprising:  
a hydraulic reservoir operationally coupled to said hydraulic cylinder for providing additional hydraulic force;  
a control assembly operationally coupled to said hydraulic cylinder for selectively actuating said hydraulic cylinder whereby said piston is extended; and  
~~a shear blade operationally coupled to a lower portion of said arm member for cutting metal when said piston is retracted into said hydraulic cylinder~~  
means for adjusting a height of said second horizontal support member to adjust a distance between said second horizontal support member and said arm member; and  
wherein a length of said first portion of said arm member is approximately three times a length of said second portion of said arm member.

6. (Withdrawn) The machine of claim 5, further comprising:  
a punch assembly operationally coupled to a second end of said arm member;  
a punch mating assembly operationally coupled to said frame member, said punch mating assembly being aligned with said punch assembly;  
said punch assembly engaging said punch mating assembly when said first end of said arm member is moved away from said frame assembly by said piston.

7. (Withdrawn) The machine of claim 6, wherein said punch assembly engages said punch mating assembly with eighty tons of force.

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8. (Withdrawn) The machine of claim 5, further comprising:

said arm member having a pivot portion pivotally coupled to said frame member, said arm member having a first extent extending outwardly from said pivot portion, said first extent terminating at said first end;

said arm member having a second extent extending outwardly from said pivot portion opposite said first extent, said second extent ending at said second end;

said first extent being substantially longer than said second extent to improve leverage of said piston member for applying downwardly directed force at said second end.

9. (Withdrawn) The machine of claim 8, wherein said first extent having a length at least three times as long as a length of said second extent.

10. (Withdrawn) The machine of claim 8, further comprising:

a ram member operationally coupled to said arm member, said ram member extending downwardly from said arm member, said ram member being for transferring a force from said arm member to a piece of metal being worked;

a second horizontal support member operationally coupled between said two vertical stanchions, said second horizontal support member being positionable below said horizontal support member for supporting the piece of metal being worked.

11. (Withdrawn) The machine of claim 10, wherein said ram member being positioned at a medial portion of said first extent of said arm member.

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12. (Withdrawn) The machine of claim 10, further comprising:

a first plurality of apertures extending through a first one of said two vertical stanchions, said first plurality being dispersed in a linear array;

a second plurality of apertures extending through a second one of said two vertical stanchions, said second plurality being dispersed in a linear array;

a pair of coupling members for operationally coupled said second horizontal support member to said two vertical stanchions, said pair of coupling members being positionable through a selected pairing of said one of said first plurality of apertures and one of said second plurality of apertures whereby a height between said ram member a said second horizontal support is adjustable.

13. (Cancelled)

14. (Withdrawn) The machine of claim 5, further comprising:

said arm member having a pivot portion pivotally coupled to said frame member, said arm member having a first extent extending outwardly from said pivot portion, said first extent terminating at said first end;

said arm member having a second extent extending outwardly from said pivot portion opposite said first extent, said second extent ending at said second end;

said first extent being substantially longer than said second extent to improve leverage of said piston member for applying downwardly directed force at said second end;

said first extent having a length at least three times as long as a length of said second extent;

a ram member operationally coupled to said arm member, said ram member extending downwardly from said arm member, said ram member being for transferring a force from said arm member to a piece of metal being worked;

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a second horizontal support member operationally coupled between said two vertical stanchions, said second horizontal support member being positionable below said horizontal support member for supporting the piece of metal being worked;

said ram member being positioned at a medial portion of said first extent of said arm member;

a first plurality of apertures extending through a first one of said two vertical stanchions, said first plurality being dispersed in a linear array;

a second plurality of apertures extending through a second one of said two vertical stanchions, said second plurality being dispersed in a linear array;

a pair of coupling members for operationally coupled said second horizontal support member to said two vertical stanchions, said pair of coupling members being positionable through a selected pairing of said one of said first plurality of apertures and one of said second plurality of apertures whereby a height between said ram member a said second horizontal support is adjustable; and

wherein said ram member develops fifty tons of force.

15. (Cancelled)

16. (Currently Amended) The machine of claim ~~15~~ 1, wherein said first ~~extent having~~ portion of said arm has a length at least three times as long as a length of said second ~~extent~~ portion of said arm member.

17. (Currently Amended) The machine of claim ~~16~~ 1, wherein said ram member ~~being is~~ is positioned at a medial portion of said first extent of said arm member approximately half of a distance between said pivot location on said arm member and said first end of said arm member.

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18. (Currently Amended) The machine of claim ~~17~~ 1, wherein said punch assembly engages said punch mating assembly with eighty tons of force and said ram member develops fifty tons of force.

19. (Currently Amended) ~~The A metal working machine of claim 15,~~  
further comprising:

a frame member adapted for resting upon a horizontal support surface,  
said frame member having at least two vertical stanchions, said frame  
member having a horizontal support member extending between said vertical  
stanchions, said horizontal support member being positioned adjacent a top  
end of each of said vertical stanchions;

an arm member pivotally coupled to said frame member;

a hydraulic cylinder having a piston selectively extendable from said  
hydraulic cylinder, said hydraulic cylinder being operationally coupled to  
said frame member, said piston being operationally coupled to said arm  
member whereby extension of said piston from said hydraulic cylinder  
pivotally moves said a first end of arm member away from said frame  
member;

a hydraulic reservoir operationally coupled to said hydraulic cylinder  
for providing additional hydraulic force;

a control assembly operationally coupled to said hydraulic cylinder for  
selectively actuating said hydraulic cylinder whereby said piston is  
extended; and

a shear blade operationally coupled to a lower portion of said arm  
member for cutting metal when said piston is retracted into said hydraulic  
cylinder;

a punch assembly operationally coupled to a second end of said arm  
member;

a punch mating assembly operationally coupled to said frame member,  
said punch mating assembly being aligned with said punch assembly;

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said punch assembly engaging said punch mating assembly when said first end of said arm member is moved away from said frame assembly by said piston;

said arm member having a pivot portion pivotally coupled to said frame member, said arm member having a first extent extending outwardly from said pivot portion, said first extent terminating at said first end;

said arm member having a second extent extending outwardly from said pivot portion opposite said first extent, said second extent ending at said second end;

said first extent being substantially longer than said second extent to improve leverage of said piston member for applying downwardly directed force at said second end;

a ram member operationally coupled to said arm member, said ram member extending downwardly from said arm member, said ram member being for transferring a force from said arm member to a piece of metal being worked; and

a second horizontal support member operationally coupled between said two vertical stanchions, said second horizontal support member being positionable below said horizontal support member for supporting the piece of metal being worked;

a first plurality of apertures extending through a first one of said two vertical stanchions, said first plurality being dispersed in a linear array;

a second plurality of apertures extending through a second one of said two vertical stanchions, said second plurality being dispersed in a linear array;

a pair of coupling members for operationally coupled said second horizontal support member to said two vertical stanchions, said pair of coupling members being positionable through a selected pairing of said one of said first plurality of apertures and one of said second plurality of apertures whereby a height between said ram member a said second horizontal support is adjustable.

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20. (New) The machine of claim 3 wherein the means for adjusting comprises a first plurality of apertures in a first one of said two vertical stanchions, a second plurality of apertures in a second one of said two vertical stanchions, and a pair of coupling members for positioning in said apertures for supporting said second horizontal support member on said two vertical stanchions.

21. (New) The machine of claim 5 wherein the means for adjusting comprises a first plurality of apertures in a first one of said two vertical stanchions, a second plurality of apertures in a second one of said two vertical stanchions, and a pair of coupling members for positioning in said apertures for supporting said second horizontal support member on said two vertical stanchions.

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### REMARKS

Reconsideration is respectfully requested.

Claims 1 through 12, 14, and 16 through 19 remain in this application. Claims 13 and 15 have been cancelled. Claims 6 through 12 and 14 have been withdrawn. Claims 20 and 21 have been added.

#### Paragraph 2 of the Office Action

Claims 1 and 15 have been objected to for the informalities noted in the Office Action.

Claim 1 has been amended in a manner believed to clarify any informalities in the language. Specifically, "a" has been changed to "an".

Withdrawal of the objection to claim 1 is therefore respectfully requested.

#### Paragraphs 2 through 8 of the Office Action

Claims 1 through 5 have been rejected under 35 U.S.C. §102(b) as being anticipated by Malmgren.

Claims 1 through 5 and 15 through 17 have been rejected under 35 U.S.C. §102(b) as being anticipated by Bracewell.

Claims 15 through 18 have been rejected under 35 U.S.C. Section 103(a) as being unpatentable over Malmgren.

Claims 18 has been rejected under 35 U.S.C. Section 103(a) as being unpatentable over Bracewell.

Claim 1, particularly as amended, requires "an arm member pivotally coupled to said frame, said arm member having a first end and a second end, said arm member being pivotally coupled to said frame at a pivot location between said first and second ends", "wherein a first portion of said arm

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member is located between said pivot location and said first end and a second portion of said arm member is located between said pivot location and said second end", "a shear blade mounted on the first portion of said arm member for shearing materials against said horizontal support member when said piston is retracted into said hydraulic cylinder", "a punch assembly mounted on the second portion of said arm member and a punch mating assembly mounted on said frame member, said punch mating assembly being aligned with said punch assembly such that said punch assembly engages said punch mating assembly when said first end of said arm member is moved away from said frame by said piston", "a second horizontal support member mounted on and extending between said two vertical stanchions for supporting the piece of metal being worked" and "a ram member mounted on the first portion of said arm member and extending downwardly from said arm member toward said second horizontal support member for transferring a force from said arm member to a workpiece positioned on said second support member".

It is therefore submitted that the cited patents, and especially the allegedly obvious combination of Malmgren and Bracewell set forth in the rejection of the Office Action, would not lead one skilled in the art to the applicant's invention as required by claim 1. Further, claims 2 through 5 and 16 through 18, which depend from claim 1, also include the requirements discussed above and therefore are also submitted to be in condition for allowance.

Withdrawal of the §102(b) and §103(a) rejections of claims 1 through 5 and 16 through 18 is therefore respectfully requested.

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**Paragraph 9 of the Office Action**

Paragraph 9 of the Office Action states that claim 19 would be allowable if written into independent form with the limitations of the base claim and any intervening claims.

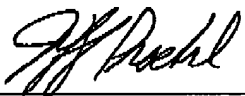
The above amendment incorporates the limitations of claim 15 (in its original form) into the recitation of claim 19, and therefore claim 19 is believed to be in condition for allowance.

**CONCLUSION**

In light of the foregoing amendments and remarks, early reconsideration and allowance of this application are most courteously solicited.

Respectfully submitted,

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